

Article - Natural Resources

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§3–126.

(a) The Service may provide for the creation, continuation, and administration of whatever funds may be required. Money in these funds and other money of the Service shall be deposited, as directed by the Service, in any State or national bank, or federally insured savings and loan associations having a total paid-in capital of at least \$1,000,000 or in any financial institution in which the State Treasurer is authorized to deposit State funds. The trust department of any State or national bank or savings and loan association may be designated as a depository to receive any securities acquired or owned by the Service. The restriction with respect to paid-in capital may be waived for any qualifying bank or savings and loan association which agrees to pledge securities of the State or of the United States to protect the funds and securities of the Service in amounts and under arrangements acceptable to the Service.

(b) Any money of the Service, in its discretion and unless otherwise provided in any trust agreement, other agreement, or covenant made by the Service for the benefit of the holders of any of its obligations with respect to funds held under the trust or other agreement may be invested in:

(1) Bonds or other obligations of, or guaranteed as to principal and interest by, the United States or the State or its political subdivisions or units; or

(2) Any other obligation or security in which the State Treasurer may invest under § 6–222 of the State Finance and Procurement Article.

(c) The Service shall make provision for a system of financial accounting, controls, audits, and reports. All accounting systems and records, auditing procedures and standards, and financial reporting shall conform to generally accepted principles of governmental accounting. The Service shall adopt the fiscal year of July 1 to June 30, designate the necessary funds for complete accountability, and specify the basis of accounting for each fund.

(d) As soon as practical after the closing of the fiscal year, an audit shall be made of the financial books, records, and accounts of the Service. The audit shall be made by independent certified public accountants, selected by the Service and licensed to practice in the State. The accountants may not have a personal interest either directly or indirectly in the fiscal affairs of the Service. They shall be experienced and qualified in the accounting and auditing of public bodies. The report of audit shall be prepared in accordance with generally accepted auditing principles

and point out any irregularities found to exist. The accountants shall report the results of their examination, including their unqualified opinion on the presentation of the financial position of the various funds and the results of the Service's financial operations. If they are unable to express an unqualified opinion they shall state and explain in detail the reasons for their qualifications, disclaimer, or opinion including recommendations necessary to make possible future unqualified opinions.

(e) The books, records, and accounts of the Service are subject to audit by the State, including the Legislative Auditor.

(f) Any officer or employee who refuses to give the required assistance and information to the accountants selected by the Service or by the State, or who refuses to submit to them for examination the books, documents, records, files, accounts, papers, things, or property required for the audit, in the discretion of the Service, may be required to forfeit his office or employment.

(g) Any money received by the Service from State agencies for goods or services provided by the Service in accordance with agreements with those agencies shall be deposited and credited to the funds created under this subtitle.

(h) Within the first 90 days of each fiscal year, the Service shall make a report to the Governor and, subject to § 2-1257 of the State Government Article, to the General Assembly of its activities for the preceding fiscal year. Each such report shall set forth the complete operating and financial statement covering the Service's activities during such year, the salaries for each position of the Service, and a summary of energy activities undertaken by the Service during such year.

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